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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

NEETA THAKUR, et al.,

Plaintiffs,

vs.

DONALD J. TRUMP, et al.,

Defendants.

Case No. 3:25-cv-04737-RL

DECLARATION OF KYLE A. MCLORG

*Filed concurrently with Motion for Leave to
File Third Amended Complaint; Motion for
Preliminary Injunction and Provisional Class
Certification as to Department of Energy*

Judge: The Honorable Rita F. Lin

1 I, Kyle A. McLorg, declare as follows:

2 1. I am an attorney duly admitted to practice before this Court. I am a senior associate
3 with Farella Braun + Martel LLP, attorneys of record for Plaintiffs and the Proposed Class. I have
4 personal knowledge of the facts set forth herein. If called as a witness, I could and would
5 competently testify to the matters stated herein. I make this declaration in support of Plaintiffs'
6 Motion for Leave to File Third Amended Complaint and Motion for Preliminary Injunction and
7 Provisional Class Certification as to Department of Energy.

8 2. The website usaspending.gov contains information on every grant awarded by the
9 Department of Energy ("DOE") and other agencies, including the address on file of each awardee
10 and the primary place of performance of each award.

11 3. Exhibit A to this Declaration is a list of 321 awards that DOE reportedly sent to
12 Congress on or around October 2, 2015, as reflecting the 321 awards for which Secretary Wright
13 announced terminations on October 2, 2025. *See, e.g.,* Maeve Allsup, *Scoop: These Are the 321*
14 *Awards DOE Is Canceling*, Latitude Media (Oct. 2, 2025), <https://perma.cc/B9F7-483X>. As the
15 spreadsheet indicates, six of the 321 awards listed had been terminated many months prior,
16 leaving 315 awards slated for termination in October 2025.

17 4. [Usaspending.gov](https://usaspending.gov) contains information regarding each of the 315 awards on DOE's
18 October 2025 list. For one award, usaspending.gov identifies the awardee's residence as Canada.
19 For each of the remaining 314 awards, the address on file for the awardee is a state that voted for
20 Vice President Kamala Harris in the 2024 election, and currently has two Democratic-caucusing
21 Senators.

22 5. In addition, for 308 of the 314 awards, the primary place of performance listed in
23 usaspending.gov was a state that voted for Vice President Harris and has two Democratic-
24 caucusing Senators.

25 6. Exhibit B to this Declaration is a revised version of the spreadsheet from Exhibit A,
26 listing the state of residence of the awardee and the primary place of performance for each award,
27 as listed in usaspending.gov.

28 7. Exhibit C to this Declaration is a copy of the article, Richard Cowan, et al., *Trump*

1 Warns Democrats of “Irreversible” Actions in Government Shutdown, Yahoo News (Sept. 30,
2 2025), <https://perma.cc/UVV3-MXKS>.

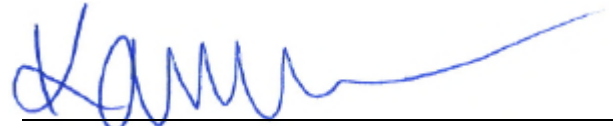
3 8. Exhibit D to this Declaration is a copy of the article, Kevin Breuninger, *Trump*
4 *Threatens to Use Government Shutdown to Cut “Popular Democrat Programs,”* CNBC (Oct. 9,
5 2025), <https://perma.cc/KZ69-5DGG>.

6 9. Exhibit E to this Declaration is an October 1, 2025 post by Russ Vought on X,
7 @RussVought, <https://x.com/russvought/status/1973450301236715838>.

8 10. Exhibit F to this Declaration is a list of more than 600 awards that news outlets
9 reported DOE originally sent to OMB for potential termination. *See, e.g.,* Maeve Allsup, *There’s a*
10 *Second DOE Project Cancellation List*, Latitude Media (Oct. 7, 2025),
11 <https://www.latitudemedia.com/news/theres-a-second-doe-project-cancellation-list/>.

12 I declare under penalty of perjury under the laws of the United States of America that the
13 foregoing is true and correct.

14 Executed on this 24th day of November, 2025, at San Rafael, California.

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17 Kyle A. McLorg
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